G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1902-03
(Miscellaneous)

File No. 77

Serial Nos. 1-16

Papers Filed.

Month ~~August~~ 1906

SUBJECT.

~~Confirmation of the Shimoga District Deputy Commissioner's order~~ re the claim to perform the Banni pooja to the Sri Ganapathi Devarace Temple at Sagara Kasaba Town.

PREVIOUS REFERENCES.

LATER REFERENCES.

MUZRAI DEPARTMENT.

OFFICE NOTE.

Subject.
In re performance of Bannu Puje in Sagar Kasaba

LAST REFERENCE:—

Letter No. 46/6 dated 14th July 1904 from the Deputy Commissioner, Shimoga Dt.

One Naga jois of Kasaba Sagar presented an appeal petition representing that the eldest brother of the petitioner should conduct the Bannu Puje of Sri Ganapati Devaru of Sagar & receive a remuneration of 0-4-0 therefor. This petition having been forwarded to the Dy Commr a detailed report has been submitted with the letter cited above

The appeal is against

the order of the Sub Dn
Offr + the Dy Comm.r has
not ~~offered~~ from any opinion in the matter
Perhaps a reference, if
directed, may be made

Submitted
JS
25/7/04

Under Govt Sec No 7/c
35-44 (Mag) d: 8th July 1901

Slip A

the appeal in this case
from the Auditor's decision
lay to the Dy Comr and not
to the Sub Dn Officer who has
disposed of the appeal.
The Dy Comr may be asked
to hear the appeal himself
and dispose of the case on
the merits.

Chandra Sanctum
30/7/04

No 39 Subd to the Deputy
30.7.04 through the 2d Cr
Sec. 8

796/b.8.10 HL 5/8/04

4/8.
5

Issue the draft
HL 11/8/04
Secy Magade

ale right
WWS
8. VIII. 04

Note continued :-

orders were accordingly
issued in Government Resn
no 753 dated 17th August 1904.

B

The Dy Commr, Nellore
M. S. Narasimha Row accordingly
passed the appeal order directing
that it be dismissed for
the reasons stated in his
order dated 3rd January 1905

C.

In April 1905 Nanjappa
appealed to Government against
the Dy Comm's orders. The
proceedings were sent for and
they have accordingly been
received with the Dy Comm
letter no $\frac{922}{68}$ dated 9th April

Paper to under disposal

This is a case to be
decided by the Council
Court

Sd/ 21/4/06

No. 4966 D/24.4.06
Exec Circle

4

Forwarded to the Secretary
to Government in the
Revenue Department, for favour
of being placed before the Council.

9709
Exec

By order

Secretary to Govt
Revenue Department

21/4/06

329

No. R.891 D/19.7.06

Returned to the Secretary to Govt
Revenue Deptt together with draft of
decision of the Councillors in the case

By order

for Secretary

18.7.06

Rec'd
19-7-06

Rept & Submit

19/7/06

To
Exec
27/4
Revenue
GP 27/4/06

1901-1902

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 8th July 1901

No. 35-44

Laying down instructions in the matter of the disposal of suits relating to Pujari rights.

SBP—16-7-1901—300

READ THE FOLLOWING PAPERS :—

(i) Government Proceedings No. C. 25-34, dated Camp Mysore, 14th March 1895 :—

ORDER—The Government resolve to republish, for general information and guidance, the following Circular Order No. 30, dated the 26th October 1854, issued by the late Commissioner, Lieutenant-General Sir Mark Cubbon, regarding suits for Pujari rights.

2. Appeals from the Amildar's decisions in such cases now lie to the District Muzrai Officer and the Deputy Commissioner, against whose decisions final appeals lie to the Government in the Muzrai Department.

Mysore Commissioner's Circular No. 30, dated 26th October 1854, to the Superintendents of Divisions.

I have the honor by desire of the Commissioner to request that you will have the goodness to cause the necessary instructions to be issued to the Amildars, prohibiting the institution of suits for Pujari rights in the Courts of your Division, but that the Amildars may enquire into such disputes * * * and decide them, and that these decisions may be appealed against to the Commissioner's Huzur where the Muzrai affairs are managed."

(ii) Docket No. 866-73, dated 12th February 1900, requesting the Deputy Commissioners of Districts to report upon the practice obtaining in their respective districts in the matter of suits relating to Pujari rights.

(iii) Kadur Deputy Commissioner's letter No. 1084, dated 19th February 1900, reporting that no such suits have yet arisen in his district, that, in the case of miscellaneous Muzrai orders made by Amildars, appeals are preferred either to the Assistant Commissioner concerned or to the Deputy Commissioner, that in the latter case they are generally referred to the Assistant Commissioner concerned, and that appeals from his decision are made to the Deputy Commissioner.

(iv) Tumkur Deputy Commissioner's letter No. 722, dated 15th March 1900, reporting that appeals from Amildars, or Assistant Commissioners' decisions are invariably entertained and disposed of by the Deputy Commissioner.

(v) Bangalore Deputy Commissioner's letter No. 977, dated 10th April 1900, reporting that appeals against Amildars' decisions are not entertained by the Assistant Commissioners but are heard by the Deputy Commissioner himself or referred by him to Assistant Commissioners.

(vi) Kolar Deputy Commissioner's letter No. 3626—767, dated 9th May 1900, reporting that subsequent to the issue of the Government Order of 14th March 1895, appeals against the decisions of Amildars in Muzrai suits are being heard and disposed of by the Deputy Commissioner himself.

(vii) Shimoga Deputy Commissioner's letter No. 1019—36, dated 26th May 1900, reporting that Amildars do not in general dispose of suits for Pujari rights but that they hold a formal enquiry and submit the records to the Assistant Commissioner in charge of the taluks or the Sub-Division Officer, as the case may be, for orders, and that against their orders, appeals lie to the Deputy Commissioner as head of the District Muzrai Department.

(viii) Chitradurg Deputy Commissioner's docket No. 586—27, dated 22nd February 1900, reporting that there have been no such appeals entertained by Assistant Commissioners in the district.

(ix) Mysore Deputy Commissioner's docket No. 112, dated 5th March 1900, reporting that suits are in the first instance enquired into and disposed of by the Amildars, that appeals against their decisions are entertained by the Sub-Division Officer or the Assistant Commissioner in charge of the Muzrai work of the district, and that the decisions of these officers are appealed against to the Deputy Commissioner.

Muzrai, dated 8th July 1901.

No. 35-41, dated Bangalore, 8th July 1901.

Order thereon.—The Government observe that while the Government Order of the 14th March 1895, read above, contemplates only two appeals in regard to suits for Pujari rights against the decision of an Amildar—one, the first appeal to the Deputy Commissioner or the District Muzrai Officer, and the second appeal to Government, whose decision is final,—there is a diversity of practice prevailing in the several districts. In some districts, the appeals from the decisions of Taluk Amildars are entertained by the Sub-Division Officer or the Assistant Commissioner in charge of the Muzrai work of the district or the taluk concerned, and the decisions of these officers are appealed against to the Deputy Commissioner, while in other districts the appeals against the Amildars' decisions do not go before the Sub-Division Officer or the Assistant Commissioner, but are heard and decided by the Deputy Commissioner himself, whereby the parties are either deprived of the benefit of a second appeal or have to take up a third appeal to Government.

2. To prevent future trouble, the Government hereby repeat the instructions laid down in the Circular Order of the 14th March 1895, and, in explanation thereof, direct the Amildars to dispose of suits relating to Pujari rights in the first instance, and Deputy Commissioners and not their Assistants to entertain and decide the appeals from the Amildars' decisions, except when the Deputy Commissioner is a European Officer, in which case he may refer the case to his Assistant Commissioner, the second appeal in such cases lying to Government in the Muzrai Department.

L. ANANTASAMI RAO,
Deputy Secretary.

To—The Deputy Commissioners of Districts.
The Palace Controller, Mysore.
The Registrar, Chief Court.

Exd—c.v.

Submitted —

1) Two Rupees Stamp affixed

2) The order appealed against is that of the Sub-Div Officer

Sd 11 2 02

To Dy Commissioner

Sent to Muzrai Dept

11/2/02

Please put the latest Govt order in the matter of Appeals

Ks

11/4/02

Submitted for orders

Ks

15/11/02

OFFICE OF THE DEWAN OF MYSORE
RECEIVED
Date
REG. No 2173/45
MUZRAI BRANCH

Name of Petitioner: Nagajeeth bin Nanjunda Joish

Village: Sagar

Taluk: Sagar

District: Shemoga

Date of Arzi: 19-1-02

Date of Receipt: 23-1-02

Date of Disposal:

No of Enclosure: One

ABSTRACT

The petitioner appeals against the order dated 21-10-01 of the Sub Division Officer, Sagar, directing that the eldest brother of the petitioner should conduct the "Banni Puje" of Sri Ganapati Devaru of Sagar Kasaba, and receive its remuneration of four annas.

The petitioner states that he and his brothers have effected a partition-deed that in, accordance to this

MGCPB—23-3-01—3,000

deed they have to perform
the office of the village astrologer
and conduct the "Banni Puje"
(yearly year); and that
in the year Vikari he had
to perform the office of astrologer
and conduct the "Banni Puje"
but that he was prevented
from so doing, and the
payment of the remuneration
has been withheld).

He prays for orders for
the payment of the remuneration
to him, and all the costs
incurred by him in the case.

Read
10/2/02

Reference

1903-04 1

No. 143

Name of Petitioner Nagappa

Village Kasba

Taluk Sagar.

District Shimoga

Date of Arzi 9 } 3-7-03

Date of Receipt 14 }

Date of Disposal

No. of Enclosure Nil

MYSORE GOV
135
25-7-03

ABSTRACT

Complainant that his appeal dated 20-1-02 in the matter of the "Banni Pooja" during Dasara, is still pending disposal and prays for an early disposal

Nil

2

MGCPD—5,000—10-11-02

No 364 En 3 & 365 D

Government 31/7/03

MYSORE ~~DEWAN'S OFFICE~~,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM

2173 14
745 135

No.

The accompanying Petition Nos 14
dated 19/10/1903 received at the
Muzrai Secretariat
~~Dewan's Office~~ from Narjunda [illegible]
[illegible] appealing [illegible]
order [illegible]
officer [illegible]
[illegible]
[illegible] is forwarded, together with its enclosures, to the
in the matter of [illegible]
Sri Lanapaka [illegible]
Sagar [illegible]
[illegible] are forwarded together with their enclosures
to the Commissioner [illegible]
District [illegible]
submission of [illegible], [illegible]
connected [illegible]
together with [illegible]
[illegible] of the [illegible]

By Order,

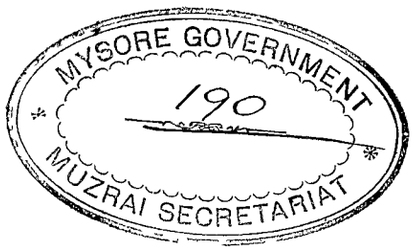
29/7/03

BANGALORE,
1903. } Muzrai Secretary

Petition No
(1) 2173
745

Ent Copies

25/7/03



16/7/04

1904-05.

From
M. S. Narayan Rao Esqre
Deputy Commissioner
Shimoga District

To
L. Anantasami Rao Esqr.
Secretary to the Government
Muzrai Department

Dated 14th July 1904

Despatched

Received

General No. 46
No. 6.

Enclosure No. one file

Rupees
As

Short office note
Submitted
CRey
28/7/04

With reference to his office memorandum No 364 dated 31st July 1903, forwarding for report the petition of Naga Jois, Station of Naga Jois, stating that the Sub Division Officer has passed an order that the eldest brother of the family should perform the "Bana Puje" until they make an amicable settlement amongst themselves.

(- S. No 46/6 -)

From the Deputy Commissioners Office.
Shimoga District
Dated 14th July 1904

From,
M. S. Narayan Rao Esqre
Deputy Commissioner
Shimoga District

To,
L. Anantasami Rao Esqre
Secretary to the Government
Munzai Department

Sir,

With reference to your official memorandum No 364 dated 31st July 1903 forwarding for report the petition of Naga Jois alias Nanjunda Jois appealing against the order of Sagar Sub Division Officer in the matter of the "Banne Puje" of Sri Ganapathi Devaru in Sagar Kasaba, I have the honour to state as follows:-

1. That the petitioner Naga Jois, Krishna Jois, Mallari Jois and the deceased Linga Jois are the sons of Nanjunda

Jois who held the post of
(ಪಟ್ಟಾಭಿಷೇಕದ ಉಪಾಧಿ) Upadi of Sri
Ganapathi Devaru in Sagar
for which he was paid a salary
of Rupees 3 12 6 per annum.
After Vangind Jois' death the
moveable and immovable pro-
perties of the family including
the temple Upadi post were de-
vided among themselves in
the year 1894 as per partition
deed enclosed in the memorandum
record.

2 It is a time honoured
custom to pay a hamike of
Hannas on the Vijayadasami
day i.e. on the 10th day of Da-
sara to the Purohit whoever
performs the "Banne Puje" of Sri
Ganapathi Devaru from the
funds of the temple

3. On the Vyjayadasami day of the year 1899 on a dispute arose among the brothers as to who should receive the usual Manike of 4 annas from the temple On account of this the payment was withheld till the disposal of the case

4. On the 20th October 1899 Naga Jois submitted a petition to the Amildar of Sagar Taluk praying that the amount of 4 annas which was held for future payment may be paid to him as he was the proper Sunkdar.

5. On enquiry the Amildar issued an order No 216 dated 26th September 1900 to the Kasba Sheikdar stating that the amount withheld may be paid to Sirka Jois

who holds the ಪೂಜೆ & ಧರ್ಮದರ್ಶಿ
Upadi in the temple as per
partition deed.

6. Thereupon Naga Jois
Submitted an appeal petition
dated 11th October 1901 to the
Sub Division Officer, Sagar
against the order passed by
the Amildar

7 On perusal of the
records, the Sub Division Of-
ficer Mr. S. Parasuram Iyengar
passed an order No. 666 dated
21st October 1901 to the Amildar
stating that as these brothers
have not acted according to
the terms of the partition deed
it will have to be consider-
ed null and void, and
that they are the members
of an undivided family. To
the "Banne Puje" on the 19th
adasami day of Sri Ganes-

pathi Devaru of Sagar will have to be performed by the eldest brother of the family until they make an amicable settlement amongst themselves

8 The enclosures received with the above are herewith resubmitted

9. The entire vernacular correspondence on the subject ending with the Sagar Assistant Commissioners Yadi No. 661 dated 16th December 1903 is herewith sent for reference and kind return.

I have the honour to be
Sir,
Your most obedient Servant

Deputy Commissioner
Shimoga District.

Inl

Murgai. 5

Read:—

Letter no. 46/6 dated 14th July 1904 from the Dy Commr, Shimoga District, reporting on the appeal petn. of Naga Jois alias Nanjunda Jois in the matter of the Banni Puje of Sri Ganapati Devaru in Sagar Kasba

———— o ————

Mur: F: 77-02

Order thereon:—no: 7539 14/8/04.
Sn: 17/8.

Under Govt. Pro. No. 35-44 Mur dt 8th July 1904, the appeal in this case from the Amildar's decision lay to the Dy Commr and not

to the Sub Division Officer
who has disposed of the
appeal.

2. The Dy Comm^r
requested to hear the
appeal himself and
dispose of the case on
the merits

11/8/44 Camp Magade
Secretary
Mun^s Deptt

Dewan's order

Dy 10/8/44

To the Dy Comm^r Shimoga Dist^t revd Vern Records

End^t Deptt

By order

Secy

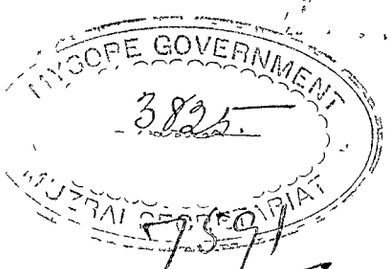
ಪತ್ರಿಕೆಯಲ್ಲಿ ಪ್ರಕಟಣೆಗಾಗಿ.

ಆಜ್ಞೆಯಂತೆ ಕೆ.ಎಸ್.ಆರ್.ಟಿ.ಸಿ.

"Fair Draft"

By Order
Secretary to Govt
Home Department

25/9/14



2/4/05

10.4.05

To

His Excellency Sir P. N. Krishna
Murthi K. C. S. I. Dewan of Mysore,
Bangalore

Appeal petition of Naga joyisa &
against the decision dated 3-1-05 of
the Deputy Commissioner Shimoga
district dated 5-6-1905.

Appellant	Respondent
Naga joyisa	Dirka joyisa

The appellant most respectfully begs to state as follows:—

1. The appellant Naga joyisa and Dirka joyisa and two other Krishna joisa and Mallari joisa are divided brothers who effected their partition the year Jaya 1896. Dirka joisa the eldest, the appellant is the 2nd Krishna joisa the third, and the fourth Mallari joisa. They have been the hereditary Gotishkas of the Town of and since their partition

To. Branch I
Seen 11/4/05
R 10086 dt 15/4/05
Memo. to the Govt. Mysore for disposal by Order
for Secretary

they have arranged among themselves in the partition deed that each should, in a specified rotation, exercise the functions of the joyisa of the Township and with the consent of all the brothers, the hereditary upadhi or service of Punchangam in the local temple of Sree — Mahaganapathi was, by the partition deed, assigned to the eldest brother Sirka joyisa

2. The present appeal which is against the order of the Deputy Commissioner Shimoga District relates to a dispute as regards the right to Bannipuja in the town of Sagar, which the appellant says, belongs to the Gramajoyisa as such and for the time being, but which the respondent says belongs to him personally in virtue of his being the holder of the Punchangamupadhi in the Ganapathi temple

3. The Deputy Commissioner holds that the respondent Sirka joyisa is entitled to perform the Bannipuja at Sagar and take the allowance of four annas assigned to it, the reason being that the said Sirkajoyisa

does the ordinary panchangam Service of the temple of Ganapathi and that the allowance of four annas is a remuneration for temple services and not a perquisite attached to the person who does the gotisha work of the township for the time being.

4. The Deputy Commissioner gives no reason whatever why he holds this view. This view is wrong for the following reasons.

(a) From time immemorial, the Joyisa of the township for the time being has been performing the Bannipuja or the worship of Bannipuja Illahankali with offerings of Banni leaves on Vijayadasamiday. This is an annual public worship performed in a particular spot outside the township of Sagar, at which, the seal of the Taluk Cutcherry and the Key of the Taluk Treasury together with the Bimmahapatra of the Amildar and the principal Gentry of the town, are also worshipped, and the Banni leaves and the said Seal and Key are after the puja handed over to Amildar by the Grama Joyisa

From the above discription of the Bannipuja, it can be easily seen that it is an annual public function to be performed by the public goyisa of the town, quite distinct from and unconnected with the panchangam service (upadhi) in the Temple of Ganapathi. The person who does the daily panchangam service in the temple, as such, has nothing to do with the Bannipuja. The Bannipuja is as much a public function as Ayudhapuja on the ninth day during the Dasara, Phalasravana (or foretelling the principal features of the new year) on the new year's day, and the Śrāvaṇi-Upakarma. The last three functions being performed by the Grama goyisa for the time being and not by the person who does the panchangam service in the temple, the Bannipuja also should be performed by the Grama goyisa for the time being. Thus it is evident that the Bannipuja is a public function to be performed by goyisa of the town and

and is not a department of the punch-angam service (upadhi) in the temple of Ganapathi, as the respondent Dirka Joyisa asserts.

(b) The reason adduced by the respondent Dirka Joyisa for his solemn to Bannipuja, and accepted by the deputy Commissioner as being valid, is that the remuneration of four annas attaching to the performance of the Bannipuja is paid out of the funds (tastisk) of Ganapathi temple in which he does the daily upadhi of punchanga service. This argument falls to the ground because:—

(1) The mere fact that the remuneration for Bannipuja is ~~not~~ paid out of the temple funds does not prove that another person (Dirka Joyisa) who is also paid out of the temple funds must be entitled to the Bannipuja remuneration and hence to the Bannipuja right, for in that case the other upadhi holders in the temple who are also paid out of the temple funds can

also

also be said to possess the right to — Bannipuja, which, however, they do not possess.

(2) Many other function s the remuner- -ations for which are paid out of the temple funds, are performed by the Grama joisa, for the time being; e,g, the Punyāha ceremony, and the Ghaṭikāstapana (keeping hour-vessel) on the occassion of the Rathotsavam of Ganapathi; and the Śrāvaṇi upakarma in the said temple, all of which are performed by the Grama joyisa for the time being, but the remunerations for which are paid out of the temple funds. Thus it is evident that the reason advanced by the respondent Sirka joyisa does not stand examination of view of existing facts

Another fact which clearly proves that the Bannipuja has nothing to do with the upadhi (panchangam service) in the temple of Ganapathi, is that while the Bannipuja has been performed by the Grama joyisas from time immemorial, the panchangam service in the Ganapathi temple is an acquisition of our ancestors, of only about 60 years ago.

ago. This fact I can prove by Sanads as to the validity of which the Subdivision officer who inquired into this case has satisfied himself. It is thus obvious that the Bannipija is not a service depending on or connected with the panchangam service in the temple of Ganapathi, but existed and ought to exist independently of it.

(c) The father and uncles of the appellant and respondent and their brothers, when they became decided, enjoyed the right to Bannipija, each in his turn, when he was the Grama Jogisa, though the eldest was doing the upadhi work (panchangam service) in the Ganapathi temple by the consent of the other brothers; and the present claim of the respondent is a novel and unauthorised departure from the long established usage and right existing in our family.

(d). When I appealed in 1907 May 5, from the amildar's decision regarding our dispute, as regards to the Bannipija, the then Subdivision officer after elaborate investiga-

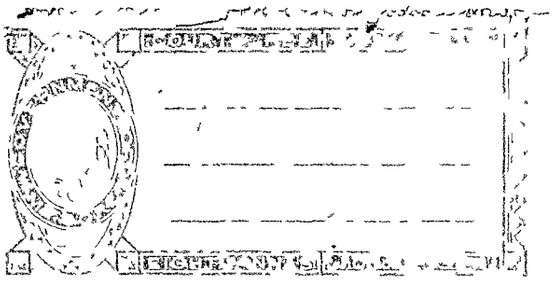
tion,

investigation of old records and examination of witnesses, has also held that the Bannipuja should not be considered as a part of the panchangam upadhi in the temple, but should be considered as a function to be performed by the Joyisa of the Town for the time being.

(e) The last but not the least of my grounds of appeal is that the Deputy Commissioner did not make sufficient examination of necessary persons and necessary records, so as to determine the right in question and he assigns no reason why he holds as he does.

5. In conclusion the appellant begs to submit that the right to Bannipuja vests in the Grama Joyisa for the time being, and not in the person who holds the panchanga upadhi in the temple of Ganapathi the appellant being deprived of his right to Bannipuja in his turn as Grama Joyisa from the year Vikari he begs that the Deputy Commissioner's

decision be ordered to be set aside, that the appellant be declared to possess the said right, that the perquisits of the Bannipuja from the said year be restored to him, and that the respondent be ordered to pay the appellant the costs incurred throughout by the latter. The appellant begs to submit herewith a copy of the Deputy Commissioner's order



In the court of the Deputy commissioner
Shimoga District

Before - M. S Narayana Rao Esquire
Deputy commissioner
Shemoga District.

Revenue appeal No.

Appellant
Naga gois ~~Son of~~
Nanjunda gois
resident of Lagar

~~Vs~~

Respondent
1 Jurka gois.
resident of Lagar.

Appeal petition of Naga gois, alias Nanjunda, go. in the matter of Bunne puja of Sri Ganapati Devaru in Sagar Kasaba.

Order thereon.

The question for consideration is whether the allowance of 4 annas given annually is to be considered as remuneration for temple services or as a perquisite attached to the person who does the gotishya work of the township for the time being. I hold that the amount is a remunera for temple service and ~~that Jurka gois who does the ordinary~~ panchanga service of the temple is entitled to perform the Bunne puja and take the allowance assigned to it.

I therefore direct that the appeal of Naga gois be dismissed.

(Signed) M. S. Narayan Rao.
Deputy commissioner.

3rd January. 1905.

"Draft Copy"

Allahabad

District Magistrate

Compd
by

Date of application for copy by Nagarjoi . . . . . } 4. 1. 05.

Copy ready on 16. 1. 05

" delivered on. 16. 1. 05

No. of words 152

Fees 0-4-0

Compg: Fees. 0-1-0.

Total. 0-5-0

No. 422/68 Confdl

Deputy Commissioner's Office
Shimoga District.
Dated 9th April 1906.

From,

M. S. Narayana Rao Esq
Deputy Commissioner
Shimoga District.

To, L. Ananta Rami Rao Esq
Secretary to Government
Muzarai Department.

Sir,

With reference to your Official Memo No: 4094, dated 3rd May 1905, forwarding for report the appeal petition from Naga Jois, regarding his right to perform Banni-puja of Sri Ganapati in Sagar on Vijaya Dashami day &c, I have the honour to state as follows:—

1 Appellant Naga Jois, & Respondent Tirka Jois and two others are divided brothers, living separately since January 1894. The appellant's allegations are that he and his ancestors

ancestors are the rightful
Jotishkas of the township of Sigar
from time immemorial, that Pranu
-priya is an adjunct to the Jotishya
work, that this priya is to be performe
on every Vijaya Dashami day, when
the deity, Sri Ganapati is taken out
in procession, that the sum of 4 ~
annas is the perquisite given to the
appellant's family for offering the
Bannii to the deity, that since
the partition amongst the family
members, the priya is being performe
by turns, that it was so performed
till Vilumbi, that it was his turn
to perform the priya in Vikari,
that accordingly when he went
with the offerings on Vijaya Dashmi
of that year, he was resisted by
the Respondent, that the people present
there had then the priya performed

by

by the Respondent and the perquisites kept in abeyance and that he (appellant) thereupon petitioned to the Amildar of Sagar that the perquisite should be given over to him.

2. The Amildar decided that this Banni puja pertained to the Panchangam Service of the deity and that as this had gone to the share of the Respondent by virtue of the Partition-deed, the perquisite should ipso facto go to the Respondent.

The appellant appealed against this order to the Sub Division Officer, Sagar, who, after going into the case fully observes

Fig. V2 & 5.5.01

Flag V3 & 21.10.01

i That there is no mention of this puja in the Partition deed and this omission has given room for the contention of both the parties.

ii That the nature of "
puja suggests that it is an
office to be performed by the
astrologers.
iii That so far there are no
documents purporting to
shew that the puja pertains
to the office of Panchangam
Service in the temple.
iv. That the appellant and
his brothers have not effected
any regular division of their
property consistent with the
terms of the Registered Partition
deed, and that, on the contrary
their conduct shews that
they have violated the terms
of it very largely
v. And that it is difficult to
say in what manner
the Service of Panchangam
is divided in the absence
of proper documents;
and finds that the order of the
Amildar

Swamidas should be kept in abeyance (avanath) and that the parties be restored to the position in which they were before their division.

3. The matter then came before me for consideration and after hearing the parties and hearing Jois and going over the records, I held "that the amount is a remuneration for temple service, and that Sirka Jois who does the ordinary Panchangam service of the temple is entitled to perform the Banniprija and take the allowance assigned to it."

4. The present appeal is against this order.

5 The records as per statement, connected with the appeal petition are herewith submitted.

I have the honour to be
Sir,
Your most obedient servant

Deputy Collector

P
25-9-05

Ref

Received
29/9

To

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗೌರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರವಿನ್ಯೂ
ಸೆಕ್ರೆಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

190 —ನೇ ಇಸವಿ ರವಿನ್ಯೂ ಅಪೀಲು ನಂಬರು..119....

ಅಪೀಲು ವಾದಿ
ಸಾಂಗರಕನಬಂದಳ್ಳಿಯ
ನಾಗಾಜಿಕೀಲುನ

ಅಪೀಲು ಪ್ರತಿವಾದಿ
ಸಾಂಗರಕನಬಂದಳ್ಳಿಯ
ಶಿರಕಾಂಜಿಕೀಲುನ

ವಿಷಯ.
ಸಾಂಗರಕನಕಾಲಿಲ್ಲಿಯ ಕೃಷ್ಣಹಳಿಯವಾಗಿ ವಿಚಾರಣೆ
ವಿವರಣಪತ್ರವನ್ನು ಕಳುಹಿಸಿಕೊಡುವ ವಿಷಯ-

ಮೇಲ್ಕಂಡ ಅಪೀಲು ಪ್ರತಿವಾದಿ ಸಾಂಗರಕನಬಂದಳ್ಳಿಯ ಶಿರಕಾಂಜಿಕೀಲುನವರಿಗೆ

ಅಪೀಲು ವಾದಿ ಸಾಂಗರಕನಬಂದಳ್ಳಿಯ ನಾಗಾಜಿಕೀಲುನ ನು
ಶಿವಮೊಗ್ಗ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ
ಅಪೀಲು 1906 ನೇ ಇಸವಿ ಫೆಬ್ರವರಿ 5ನೇ ತಾರೀಖಿನ ದಿವಸ ಬೆಂಗಳೂರು
ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವದ್ದರಿಂದ, ಆ ದಿವಸ ಪೂರ್ವಾಹ್ನ 11 ಘಂಟೆಗೆ ನೀನು ಈ
ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಬತಾವೀತು 5 ನೇ ಮೇಹೆ ——— 1906 ನೇ ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು

By Order,

Secretary.

MGCPB—1,500—3'-8 01

ಅಧಿಸೂಚನೆಯ ಸಿಸ್ಟಮ್ ಸಂಖ್ಯೆ ಕಂದಾಇ 2 ಭೂಮಾಪ

ಸಂಖ್ಯೆ: ಕಂದಾಇ 2 ಭೂಮಾಪ 2016

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29-9-2016

ಅಧಿಸೂಚನೆ

ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ಕಾಯ್ದೆ, 1964 (1964ರ ಕರ್ನಾಟಕ ಕಾಯ್ದೆ 10) ಮತ್ತು ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ನಿಯಮಗಳು, 1966ರ ಅಡಿಯಲ್ಲಿ ಅಧಿಸೂಚನೆಯ ಸಿಸ್ಟಮ್ ಸಂಖ್ಯೆ ಕಂದಾಇ 2 ಭೂಮಾಪ 2016 ಅನ್ನು ಹೊರಡಿಸಲಾಗಿದೆ.

ಅಧಿಸೂಚನೆಯ ಸಿಸ್ಟಮ್ ಸಂಖ್ಯೆ ಕಂದಾಇ 2 ಭೂಮಾಪ 2016

ಸಂಖ್ಯೆ: ಕಂದಾಇ 2 ಭೂಮಾಪ 2016

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 29-9-2016

ಅಧಿಸೂಚನೆ

ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ಕಾಯ್ದೆ, 1964 (1964ರ ಕರ್ನಾಟಕ ಕಾಯ್ದೆ 10) ಮತ್ತು ಕರ್ನಾಟಕ ಭೂಕಂದಾಯ ನಿಯಮಗಳು, 1966ರ ಅಡಿಯಲ್ಲಿ ಅಧಿಸೂಚನೆಯ ಸಿಸ್ಟಮ್ ಸಂಖ್ಯೆ ಕಂದಾಇ 2 ಭೂಮಾಪ 2016 ಅನ್ನು ಹೊರಡಿಸಲಾಗಿದೆ.

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರವಿನ್ಯೂ
ಸೆಕ್ರೆಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

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190 —9 ನೇ ಇಸವಿ ರವಿನ್ಯು ಅಪೀಲು ನಂಬರು ..117.....

ಅಪೀಲು ವಾದಿ

ಸಾಗರದ ದಿಗಂಬರಯ್ಯ

ಸಾಕಾಂಕ್ಷಿಯಾಗಿ

ಅಪೀಲು ಪ್ರತಿವಾದಿ

ಸಾಗರದ ದಿಗಂಬರಯ್ಯ

ಶಿವಮೊಗ್ಗೆ

ವಿಷಯ.

ಸಾಗರದ ಕಣಬಿಯಲ್ಲಿರುವ ತೀರ್ಥಹಳ್ಳಿ ತಾಲ್ಲೂಕಿನ ಸಾಗರ
ದಿವಸ ಬಿನ್ನಿ ಪೈಂಜಿಕೂ ರಲುಪಡಿ ಸಾಗರ ವಿಚಾರ-

ಮೇಲ್ಕಂಡ ಅಪೀಲುವಾದಿ ಸಾಗರದ ದಿಗಂಬರಯ್ಯನವರಿಂದ

ನೀವು ಶಿವಮೊಗ್ಗ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರವರ ಪುಕುಮಿನ ಮೇಲೆ
ಪುಜಾರಿಗೆ ಗುಜರಾಯಿಸಿದ 1905 ನೇ ಇಸವಿ ಏಪ್ರಿಲ್ ಮಾಹೆ 5 ನೇ ಮೆರುಕುಮಿನ ಅಪೀಲು
ಅರ್ಜಿಯು, 1906 ನೇ ಇಸವಿ ಜುಲೈ 5 ನೇ ತಾರೀಖಿನ ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ
ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವದ್ದರಿಂದ, ಆ ದಿವಸ ಪೂರ್ವಾಪ್ಣ // ಘಂಟೆಗ ನೀನು ಈ ಕಚೇರಿಗೆ ಹಾಜ
ರಾಗಬೇಕು.

ಬತಾರೀಖು 31 ನೇ ಮಾಹೆ ಜುಲೈ 1906 ನೇ ಇಸವಿ

~~190~~

ನೇ ಇಸವಿ, ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು

By Order,

For Secretary.

MGCPE—1,500 copies—29-8-04

Urgent

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗೌರ್ನಮೆಂಟ್ ಜನರಲ್ ಮತ್ತು ರವಿನ್ಯೂ
ಸಕ್ರೆಟರಿಯವರ ಕಚೇರಿಯಿಂದ.

ನಂಬರು. R 15419

ಸಾಗರ ತಾಲ್ಲೂಕು ಅಮಲ್ ದಾರ್‌ರಿಗೆ ಬರಸಿ

ಕಳುಹಿಸಿದ ನಿರೂಪ ಅದಾಗಿ—

ಇಲ್ಲಿನ ಸನ್ 1905—1906ನೇ ಇಸವಿ ರವಿನ್ಯೂ ಆಫೀಸ್ 119 ನೇ ನಂಬರು

ಅಪೀಲ್‌ದಾರ - ಸಾಗರದ ಕಸಬಾ ಹೋಬಳಿಯ ಸಾಗರ ಕಛೇರಿ ಸನ್ನ

ಅಪೀಲ್‌ದಾರ್ - ಸಾಗರದ ಕಸಬಾ ಹೋಬಳಿಯ ಶಿರಸಿ ಕಛೇರಿ ಸನ್ನ

ಮೊಕದ್ದಮೆಯ ಕಕ್ಷಿಗಾರರು ಮಾರ್ಜಿನ್ನಲ್ಲಿ ನಮೂದಾದವರ ಹೆಸರಿಗೆ ತಯಾರಾದ 4 ನೋಟೀಸುಗಳನ್ನು ಇದರ ಹಮೇರಹಾ ಕಳುಹಿಸಿರುತ್ತೆ. ಕ್ರಮ ಪ್ರಕಾರ ಜಾರಿಯಿಂದ ಅಸಲ್ ನೋಟೀಸುಗಳನ್ನು ಕೂಡ್ಲೆ ಈ ಆಫೀಸಿಗೆ ವಾಪಸ್ ಕಳುಹಿಸತಕ್ಕದ್ದು.

ಬ ತಾರೀಖು 31 ನೇ ಮಾಹೆ ಏಪ್ರಿಲ್ 1906ನೇ

ಇಸವಿ, ರ ಜಾಗಾ ಬೆಂಗಳೂರು.

1353

By Order,

For Secretary.

MGCPB—600 copies—29.8.04

Написано в

Ro
6/6
From
823
5 6.06.
13869
/25

Memo.

The Deputy Commissioner's letter is clear. The facts material to the decision of the Case are these. The appellant and his three brothers are divided Sons of the same father Nimjunda Jois who was the Jois of ~~the~~ Sagar. As per terms of the partition deed executed in 1894, the office of Jois was to be enjoyed by the brothers on a system of rotation, while the ~~the puja~~ right of performing the puja Services in the temple was vested in the name of the eldest brother Sirka Jois.

Flag 'A'

Flag 'B'

"In 1898 a dispute arose between Sirka Jois and the present appellant as to the right of performing the Banni Puja and enjoying its perquisites, for

(G.)

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 119 of 1905-06.

Appellant.

Raga Jois

Vs.

Respondent.

Tirka Jois

SUBJECT.

Right to perform Ganapuja of Shri Ganapati Devaru west of Sagar on Vijaya Dasami day

Date of hearing 5.7.06

Petition issued on 1-6-06

Parties present also Agamiks Nanjundashastri & Venkatachar — The order of the Dy Commr is upheld & the appeal dismissed

5/7/06

5/7/06

M.G.C.P.B.—1000—28-1-05.

(G.)

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 119 of 1905-06

Appellant.	Vs.	Respondent.
Naga Jois		Timka Jois

SUBJECT.

Claim to perform Sanni puja to Sri Ganapati Devaru at Sagar on Vijayadasami day.

Facts of the case

One Ramjinda Jois held the post of ಪೂಜೆ ಮಾಡುವ ಹಕ್ಕು of Sri Ganapati Devaru temple in Sagar, & on his death his sons of whom the Respondent is the eldest and the Appellant the 2nd, effected a partition

M.G.C.P.B. 1000—28-1-05

among themselves in 1894
in which the said pumpkangam
service fell to the share of the
Respondent and the Jyothisha service to the appellant
On the Vija-
yadasami day of 1899-00, a
dispute arose among the
brothers as to who should
perform the Banni puja
which does not find a
mention in the partition
deed. The Amildar decided
that the Respondent who
holds ~~the~~ ~~of~~ D. 700 ~~x~~ &
D in the temple should
perform the puja & receive the
~~the~~ perquisite. On appeal,
the Sub-Division officer,
held that ~~xx~~ there is no
documentary evidence
to show that Banni puja
pertained to the Pumpkangam
service, and directed that the Amildars order ~~xx~~
~~ordered~~ ~~xxxxxxxxxxxxxxxxxx~~ should be
held in abeyance. On
second appeal, the Dy.
Commr. agreed with the
Amildar and directed
that the puja in connection

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.)

should be performed by the Respondents. From this order the appellants appeal to Court and says that Banni puja ~~Service~~ ~~that~~ does not pertain to Panchanga Service. That is ~~pertains~~ goes with the Town jois ~~&~~ ship and as such is ~~duty~~ to be performed by all the brothers in rotation ~~of one~~ each of one year.

Decision

The records do not support the allegation that the Banni puja of Sri Ganapati Devaru in Sagar belongs to the Town jois and not to the Panchangi of the temple. The Agamikas of the Murzai Department were consulted and they were of opinion that the Banni puja always went with the Temple Service & not with the Mysteria

MGCPB—30,000—5-4-07

service. The Deputy
Commissioner's findings
is correct and is
confirmed. The respondent
also happens to be
the eldest son in the
family.

Appeal is dismissed

W. Rutherfurd
2/Councillor
15/7/06

F. Mandakini
H. Deputy

No 631 Dy 24.7.06
Encl: 1 file of P.O

copy of the above is forwarded
to the Deputy Commissioner
Shimoga a District together
with the records received with
his letter No 922/68 dated 9th
April 1906.

By order
20/7/06
Asst Secretary

25.7.06

Dft as per Council decision

Proceedings of the Government of His Highness the Maharaja of Mysore, Muzrai, dated 24th July 1906.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Appeal No. 119 of 1905-06.

Appellant	*Versus*	Respondent
Naga Jois		Timaka Jois.

Subject.

Claim to perform Banni Puja to Sri Ganapati Devaru at Sagar on Vijayadasami day.

Facts of the case.

One Nanjunda Jois held the post of ಜೋಯಿಸ ಪಂಚಾಂಗ ಉಪಾಧಿ of Sri Ganapati Devaru temple in Sagar, and on his death his sons, of whom the respondent is the eldest and the appellant the second, effected a partition among themselves in 1894, in which the said Panchangam service fell to the share of the respondent and the Jyotisha service to the appellant. On the Vijayadasami day of 1899-00, a dispute arose among the brothers as to who should perform the Banni Puja, which does not find a mention in the partition deed. The Amildar desired that the respondent who holds ಪಂಚಾಂಗ ಉಪಾಧಿ in the temple should perform the Puja and receive the perquisite. On appeal, the Sub-Division Officer held that there is no documentary evidence to show that Banni Puja pertained to the Panchangam service, and directed that the Amildar's order should be held in abeyance. On second appeal, the Deputy Commissioner agreed with the Amildar and directed that the Puja in question should be performed by the respondent. From this order the appellant appeals to Government and urges that Banni Puja does not pertain to Panchangam service, that it goes with the town Joisship and as such, is to be performed by all the brothers in rotation of one year.

Decision.

The records do not support the allegation that the Banni Puja of Sri Ganapati Devaru in Sagar belongs to the town Jois and not to the Panchangi of the temple. The Agamiks of the Muzrai Department were consulted and they were of opinion that the Banni Puja always went with the temple service and not with the Jyotisha service. The Deputy Commissioner's finding is correct and is confirmed. The respondent also happens to be the eldest son in the family.

Appeal is dismissed.

No. 631, DATED BANGALORE, 24TH JULY 1906.

Copy of the above is forwarded to the Deputy Commissioner, Shimoga District, together with the records received with his letter No. 922—68, dated 9th April 1906.

L. ANANTASAMI RAO,
Secy., Muzrai Dept.

Exd.—C. V

1906-07

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

MUZRAI

PROCEEDINGS

Dated 24th July 1906

No. 63

Confirming the Deputy Commissioner's order *re* the claim to perform Banni Puja to Sri Ganapati Devaru at Sagar on Vijaya-dasami day.

GPB—31-7-06—200

Proceedings of the Government of His Highness the Maharaja of Mysore, Muzrai, dated 24th July 1906.

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Appeal No. 119 of 1905-06.

Appellant	*Versus*	Respondent
Naga Jois		Tiraka Jois.

Subject.

Claim to perform Banni Puja to Sri Ganapati Devaru at Sagar on Vijayadasami day.

Facts of the case.

One Nanjunda Jois held the post of ಜೋಯ್ಸರಿಕೆ ಪಂಚಾಂಗ ಉಪಾಧಿ of Sri Ganapati Devaru temple in Sagar, and on his death his sons, of whom the respondent is the eldest and the appellant the second, effected a partition among themselves in 1894, in which the said Panchangam service fell to the share of the respondent and the Jyotisha service to the appellant. On the Vijayadasami day of 1899-00, a dispute arose among the brothers as to who should perform the Banni Puja, which does not find a mention in the partition deed. The Amildar desired that the respondent who holds ಪಂಚಾಂಗ ಉಪಾಧಿ in the temple should perform the Puja and receive the perquisite. On appeal, the Sub-Division Officer held that there is no documentary evidence to show that Banni Puja pertained to the Panchangam service, and directed that the Amildar's order should be held in abeyance. On second appeal, the Deputy Commissioner agreed with the Amildar and directed that the Puja in question should be performed by the respondent. From this order the appellant appeals to Government and urges that Banni Puja does not pertain to Panchangam service, that it goes with the town Joisship and as such, is to be performed by all the brothers in rotation of one year.

Decision.

The records do not support the allegation that the Banni Puja of Sri Ganapati Devaru in Sagar belongs to the town Jois and not to the Panchangi of the temple. The Agamiks of the Muzrai Department were consulted and they were of opinion that the Banni Puja always went with the temple service and not with the Jyotisha service. The Deputy Commissioner's finding is correct and is confirmed. The respondent also happens to be the eldest son in the family.

Appeal is dismissed.

No. 631, DATED BANGALORE, 24TH JULY 1906.

Copy of the above is forwarded to the Deputy Commissioner, Shimoga District, together with the records received with his letter No. 922—68, dated 9th April 1906.

L. ANANTASAMI RAO,
Secy., Muzrai Dept.

Exd.—C. V.

1906-07

GOVERNMENT OF HIS HIG
THE MAHARAJA OF MYS

MUZRAI

PROCEEDINGS

Dated 24th July 1906

No. 631

Confirming the Deputy Commissioner's order *re* the claim to perform Banni Puja to Sri Ganapati Devaru at Sagar on Vijayadasami day.

GPB—31-7-06—200